

1 EDMUND G. BROWN JR.
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 ANAHITA S. CRAWFORD
Deputy Attorney General
4 State Bar No. 209545
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 322-8311
Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. **2010-115**
13 **A C C U S A T I O N**

14 **FLORENCIO MORENO IV**
A.K.A. HUEY MORENO
9009 Rieti Lane
Stockton, California 95212

15 **Registered Nurse License No. 548586**

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN, ("Complainant") brings this Accusation solely in her
21 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
22 of Consumer Affairs.

23 **Registered Nurse License**

24 2. On or about October 6, 1998, the Board of Registered Nursing issued Registered
25 Nurse License Number 548586 to Florencio Moreno IV, also known as Huey Moreno
26 ("Respondent"). The registered nurse license was in full force and effect at all times relevant to
27 the charges brought herein and will expire on June 30, 2010, unless renewed.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Conviction of a Crime)**

3 8. Respondent has subjected his license to discipline pursuant to Code section 2761,
4 subdivision (f), in that in the Superior Court, County of San Joaquin, California, in the matter
5 entitled *People v. Florencio Moreno, IV*, Case No. LM036376A, Respondent was convicted by
6 the court following his plea of nolo contendere to a violation of Penal Code section 192,
7 subdivision (c)(2) (vehicular manslaughter without gross negligence, non-alcohol, an unlawful
8 act), a misdemeanor. The circumstances of the crime are that on December 12, 2006, Respondent
9 did willfully kill a human being, to wit, William Harper, without malice or gross negligence,
10 while driving a vehicle and not under the influence of drugs or alcohol. Such conduct is
11 substantially related to the qualifications, functions, and duties of a licensed registered nurse.

12 **SECOND CAUSE FOR DISCIPLINE**

13 **(Sexual Misconduct with an Inmate)**

14 9. Respondent has subjected his license to discipline pursuant to Code section 726, on
15 the grounds of unprofessional conduct, in that on or about July 29, 2008, while on duty as a
16 registered nurse at Mule Creek State Prison, Respondent committed acts constituting sexual
17 misconduct with an inmate. Respondent was seen on video surveillance kissing an inmate and
18 stroking the inmate's left hand and wrist. Further, when the inmate was leaving the room,
19 Respondent engaged in an open mouthed kiss with him.

20 **THIRD CAUSE FOR DISCIPLINE**

21 **(Unprofessional Conduct)**

22 10. Respondent has subjected his license to discipline pursuant to Code section 2761,
23 subdivision (a), in that on or about July 29, 2008, Respondent committed acts constituting
24 unprofessional conduct, as more particularly set forth in paragraph 9, above.

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PRAYER

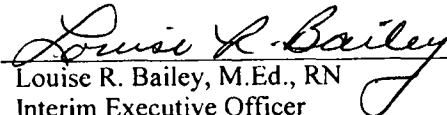
WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 548586, issued to Florencio Moreno IV, also known as Huey Moreno;

2. Ordering Florencio Moreno IV, also known as Huey Moreno to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and,

3. Taking such other and further action as deemed necessary and proper.

DATED: 8/28/09


Louise R. Bailey, M.Ed., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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